

Statement of
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Good morning Chairman McCaul, Ranking Member Keating, and distinguished Members of the Subcommittee. Thank you for the opportunity to testify today about the importance of ethical standards and professional standards of conduct in workforce issues related to the Transportation Security Administration (TSA).

Security Demands Diligence and Accountability

Both in the field and at headquarters, the nearly 57,000 full-time employees who comprise the TSA workforce are tasked daily with ensuring the security of people and commerce that flow through our Nation's vast transportation networks. TSA employs risk-based, intelligence-driven operations to prevent terrorist attacks and to reduce the vulnerability of the Nation's transportation system to terrorism. Our goal at all times is to maximize transportation security to stay ahead of evolving terrorist threats while protecting privacy and facilitating the flow of legitimate travel and commerce. TSA's security measures create a multi-layered system of transportation security that mitigates risk.

The TSA workforce occupies the frontline in executing the agency's transportation security responsibilities in support of the Nation's counterterrorism efforts. These responsibilities include security screening of passengers and baggage at 450 airports in the United States that facilitate air travel for 1.8 million people per day; vetting more than 14 million passenger reservations and over 13 million transportation workers against the terrorist watch list

each week; and conducting security regulation compliance inspections and enforcement activities at airports, for domestic and foreign air carriers, and for air cargo screening operations throughout the United States and at last point of departure locations internationally.

The success of TSA's mission is ultimately dependent upon the dedication and professionalism of our workforce. While technology and instruction manuals support our efforts, it is our people that protect travelers. Public service is a public trust and demands adherence to the highest ethical and personal conduct standards. As public servants charged with protecting the nation's vital transportation systems, we owe the American people nothing less. All aspects of our workforce regimen – hiring, promotion, retention, training, proactive compliance inspections, investigations and adjudications – are driven by adherence to the highest ethical standards. TSA Administrator Pistole has made clear that integrity, professionalism, and hard work are bedrock principles and expectations that he has for the entire TSA workforce.

Whenever a TSA employee fails to live up to TSA's high standards of conduct and violates that public trust, the security standards that all of our employees work so hard to establish and maintain are tarnished. In addition to diminishing the hard work of colleagues, the misconduct of any employee can damage TSA's reputation with the American people. TSA holds all of its employees to the highest professional and ethical standards and has a zero tolerance for criminal activity in the workplace. Accountability is an important aspect of our work, and TSA takes prompt and appropriate action with any employee who does not follow our procedures and engages in misconduct.

A Dedicated Workforce Adhering to Professional Standards of Conduct

TSA is fortunate to employ a diverse workforce. Approximately 23 percent of our employees have served our nation honorably in uniform through prior military experience. Our commitment to recruiting and hiring veterans continues, and TSA continues to work collaboratively with the Department of Defense, veterans groups and other outside agencies towards that end. We are also proud of the dedication our workforce has to the mission. Overall attrition including full-time and part-time employees was 7.2 percent in Fiscal Year 2011. This

is a significant decrease from 18 percent in Fiscal Year 2004. As TSA marks its 10th Anniversary, the average Transportation Security Officer (TSO) has been with the agency nearly 6 years and more than half have spent more than 5 years on the job.

With many members of the TSA workforce dealing directly with the public at airport checkpoints and in other transportation venues, and with a large number of employees occupying sensitive security positions, their conduct is held to the strictest standards. TSA's Office of Human Capital (OHC) provides the workforce with policies governing employee conduct, which state that conduct directly affects the accomplishment of employee duties and emphasizes the importance of public trust in the success of TSA's mission.

TSA has outlined employee responsibilities and conduct in policy documents that address a broad range of employee matters, including behavior towards the public, use of alcohol and illegal drugs on or off-duty, reporting requirements for arrests and criminal activities, and other fitness for duty requirements. The Employee Responsibilities and Conduct policy is communicated to all employees during employee orientation and all employees are required to read and certify that they have read and understand this policy. This policy requires all employees to seek advice and guidance as needed concerning their responsibilities through their supervisory chain, local Human Resources Specialist or ethics counselor. To further assist employees, TSA's Online Learning Center provides required training on ethics in the federal government for all new, first-time TSA supervisors to enable them to identify and report situations that may result in waste, fraud, or abuse, or the appearance of trying to influence a person or situation for personal or private gain.

Acting Affirmatively To Allegations of Misconduct

The overwhelming majority of TSA employees meet and exceed the highest ethical and professional standards of conduct. While allegations and incidents of misconduct arise from time to time, such cases are investigated by TSA's Office of Inspection (OOI), which reports directly to the TSA Administrator and Deputy Administrator. OOI reviews allegations and complaints made against TSA employees, reports all allegations to the DHS Office of the

Inspector General (OIG), and conducts investigations when necessary. OOI conducts investigations in accordance with the standards published by the Council of the Inspectors General on Integrity and Efficiency, and consults with appropriate law enforcement or other government officials regarding specific allegations or complaints. The Office prepares and issues a comprehensive report of investigation of criminal and/or administrative matters to appropriate TSA management officials. OOI also proactively conducts independent oversight inspections of operational programs, procedures, and policies at TSA headquarters and at our Nation's airports to check on compliance and afford employees an opportunity to discuss allegations of misconduct in a confidential setting.

Adjudicating Instances of Employee Misconduct

TSA has a streamlined disciplinary process in comparison to most other Federal agencies. Leveraging the flexible personnel authority that Congress provided under the Aviation and Transportation Security Act, TSA requires only a seven day advance written notice period for disciplinary actions as compared with the 30 days advance written notice required under Title 5. More significantly, TSA's policy includes a one-step removal action, which allows TSA to remove immediately TSOs whose misconduct involves theft, illegal drug and on duty alcohol usage, and intentional serious security breaches. TSA's streamlined disciplinary process enables TSA to act quickly to ensure that employees are held accountable for any misconduct.

To promote consistency, timeliness, and accountability in the disciplinary process, TSA created the Office of Professional Responsibility (OPR), which performs its responsibilities through a combination of direct adjudication and oversight. First, OPR adjudicates all allegations and misconduct involving employees and law enforcement personnel, reviews evidence, and determines whether to charge the employee with misconduct. Additionally, the OPR Appellate Board, a unit within OPR, adjudicates the appeals of adverse actions – removals and suspensions of 15 days or more – taken against the uniformed workforce. Finally, OPR has visibility into all misconduct cases adjudicated in the field by officials outside of OPR. Working with TSA's OHC, OPR is helping to develop a database that will afford OPR and OHC insight

into all disciplinary actions throughout the agency to drive consistency and fairness throughout the agency.

OPR has promoted greater consistency and transparency in the entire TSA disciplinary system by creating and implementing a Table of Offenses and Penalties. The Table, which is available to all TSA employees, provides ranges of penalties for each type of offense and guides the decisions of officials both at OPR and in the field. OPR has also worked to promote greater efficiency and timeliness for disciplinary actions by introducing specific timelines for investigating and for adjudicating allegations of misconduct. These steps have resulted in integrity and efficiency built into the disciplinary system.

Conclusion

As we strive to continue strengthening transportation security and improving the overall travel experience for all Americans, we must always remember that our success is defined, in large part, by the conduct of our people. Whether it is for business or for pleasure, the freedom to travel from place to place is fundamental to our way of life, and to do so securely is a goal to which everyone at TSA is fully committed. Thank you for the opportunity to appear before you today. I am pleased to address any questions you may have.